

**MINUTES
RANDOLPH COUNTY PLANNING BOARD
February 4, 2003**

The Randolph County Planning Board met at 6:30 p.m. on Tuesday, February 4, 2003, in the Commissioner's Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Maxton McDowell** called to Order the Randolph County Planning Board Meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the Members: Maxton McDowell, Chairman, present; Bill Dorsett, Vice Chairman, present; Lynden Craven, present; Phil Ridge, present; Larry Brown, present; and Chris McLeod, present.

Johnson welcomed Wilson Hawkins and Zack Murray, members of Scout Troup 582 from Quaker Heights Friends Meeting, to the meeting. Johnson explained to the Board that the scouts are working on their communications merit badge.

3. **Craven** made the motion, seconded by **Dorsett**, to **approve** the Minutes of the January 7, 2003 Randolph County Planning Board Meeting. The motion passed unanimously.

4. **REQUESTS FOR PROPERTY REZONING:**

- A. **LARRY MCKENZIE & OTHERS**, Asheboro, are requesting that 7.80 acres located on US Hwy 64 East (just before Rocky Knoll Road), Franklinville Township, be rezoned from RA to CVOR-CU. Parcel ID # 7771795538. The proposed Conditional Use Zoning District would specifically allow the development of a 4-lot subdivision for doublewide mobile homes on masonry foundation, modular homes or site-built homes.

*There was no opposition to this request expressed at the Neighborhood Information Meeting held January 9, 2003. The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommend to the County Planning Board that this request be **approved**.*

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 6.5 *The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.*

Policy 8.8 *The County should seek land use decisions that continue to provide locations for affordable housing while maintaining a choice in compatible housing types in communities within the county.*

Jerry King, Surveyor, was present and explained that his clients now wanted to request single-wide mobile homes for these lots also. **Johnson** said it was his understanding that the single-wide mobile home currently on the property was to be removed. **King** said that in the proposed covenants single-wide mobile homes would be allowed. King said that the homes and all

construction would be new. King said that they would like to request that the Board consider this zoning request for Residential Mixed. **Craven** asked if each of the existing homes had individual wells and septic tanks. **King** said that the septic tanks were individual and if there are not two wells on the property they would install an additional well. King said that whatever is located on the property will not be visible from the road.

Larry McKenzie said there are two wells on the property and there are separate septic tanks for the homes. McKenzie said that there is a family living in the existing mobile home that has asked to purchase the mobile home with one of the lots. **Ridge** asked McKenzie his plans for the two vacant lots. **McKenzie** said that some of the adjoining properties are not that desirable and they would like to keep their development options open.

There was no one present in opposition to the request.

Dorsett expressed concern of the topography of the new driveways and additional driveways being added to Hwy 64.

Johnson said that the request is a relatively minor division of property.

McLeod made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be approved. The motion passed unanimously.

5. SPECIAL USE PERMIT REQUESTS:

Chairman Maxton McDowell asked County Planning Director Hal Johnson to review with those in attendance Special Use Permit standards and provide a background for the eight requests for telecommunications towers under consideration for Special Use Permit.

Johnson said a "Special Use Permit" request refers to a zoning situation in which a particular kind of land use is permitted in a zoning district only when the Planning Board issues the permit after making specific "findings" as required by the Zoning Ordinance and North Carolina law. Johnson said the Planning Board may affix appropriate conditions to the Special Use Permit that the Board determines may be necessary for the protection of and compatibility with neighboring properties and the public interest.

Johnson said in Special Use Permit matters the Planning Board is much like a judge in a courtroom setting because the Board sits as a "quasi-judicial" administrative body when serving in its Special Use Permit role. The main focus and role of the Planning Board is on gathering relevant evidence and protecting the rights of citizens appearing before the Board. Johnson said that N.C. laws require that the Planning Board follow special rules of testimony and evidence gathering in order to make a required decision to issue or deny a Special Use Permit. Johnson said that because of this, all citizens providing information or testimony to the Planning Board must do so under sworn oath. Johnson said if the Planning Board grants a Special Use Permit it must make the following specific "findings":

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;
2. That the use meets all required conditions and specifications;
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

4. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Land Development Plan for Randolph County.

Johnson said there are eight separate requests for telecommunications towers scheduled for Special Use Permit review. Johnson said that cellular towers were considered a "permitted use" in all County zoning districts after obtaining a Special Use Permit. Johnson said that the Federal Telecommunications Act of 1996 opened the telecommunications market to many service providers. Because the ability to provide adequate wireless services can be a major factor in public welfare and safety, Johnson said Federal law did not allow a local government to totally ban telecommunications towers from its jurisdiction or to enact local standards that would otherwise make it impossible for a communications provider to maintain adequate coverage in a community. Johnson said that in 1999, the Randolph County Board of Commissioners adopted new Telecommunications Towers Special Use Permit standards. Johnson said County planning staff and representatives of telecommunications providers had worked together to develop the technical zoning standards that must be met by a telecommunications site plan and location prior to being considered for a Special Use Permit. Johnson advised those in attendance that the planning Technical Review Committee had reviewed in detail over a period of weeks all eight of the proposals before the Planning Board and had determined that each proposal was in compliance with all technical development standards outlined in the County Zoning Ordinance.

Johnson advised those in attendance that N.C. zoning laws require Planning Board approval of a Special Use Permit by a vote of 5 out of 6 members (4/5 of membership). In conclusion, Johnson reminded all those in attendance that as part of a presentation at the public hearing it is in the applicants' or citizens' interest to present specific testimony to support or oppose each of the specific "findings" upon which the Planning Board is required to make.

Swearing in of Witnesses:

"Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?"

There were 15 citizens who stood and took this oath. Johnson advised that if anyone during the hearing presents testimony and was not sworn as part of this first group, then he would be sworn individually.

- A. **SBA NETWORK SERVICES, INC.**, Charlotte, North Carolina, on behalf of AT&T Wireless Services, is requesting a Special Use Permit to allow a 155' wireless communication monopole tower and service facility to be located on Branson Mill Road, 3.53 acres, Polecat Creek Watershed, Level Cross Township, Zoning District RA, Parcel ID #7768850815. Property Owners: Branson & Kay Coltrane.

Henry Campen, Attorney, representing SBA Network Services, and AT&T Wireless Services, addressed the Board. Campen stated that he was legal representative for all eight requests scheduled for Special Use Permit review. Campen expressed his appreciation to the County planning staff for their assistance during the application technical review process. Campen asked Planning Director Hal Johnson if the applications and site plans submitted for the eight requests for individual telecommunication towers met all technical requirements as outlined in the Randolph County Zoning Ordinance. **Johnson** stated that the applications and site plans were all in technical compliance with standards and guidelines set forth in the county zoning ordinance for telecommunication towers. **Campen** advised the Planning Board that he would present three witnesses to address each of the four specific "Findings of Fact" that the Planning Board must consider during review of the eight individual requests. Campen introduced **Harold Brubaker, Appraiser**. Mr. Brubaker will provide testimony specifically to factual data relevant to test #3 (that the use will not substantially injure the value of adjoining or abutting property, or that the

use is a public necessity) and test #4 (that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located). Campen submitted as evidence a copy of the detailed analysis and appraisal conducted by Mr. Brubaker for each of the sites. Campen said that at the conclusion of Brubaker's testimony he would present **Fred Womble, Zoning Specialist**, SBA Network, and **Vikram Pai, RF Engineer**, Bechtel Corporation, to specifically address technical issues relevant to test #1 (that the use will not materially endanger the public health and safety if located where proposed and developed according to the plan as submitted and approved) and test #2 (that the use meets all required conditions and specifications). **Campen** asked Planning Board Chairman Maxton McDowell if the Board would accept these witnesses as qualified in their specific fields for testimony. **Chairman McDowell** stated that the Board would accept these witnesses as qualified in their specific areas of testimony.

Harold Brubaker, RAA/GAA, Brubaker & Associates, Inc., Asheboro, N.C., advised the Planning Board that he had conducted a full Impact Analysis for each of the proposed tower sites. The detailed analysis included the surrounding neighborhood and additional properties and neighborhoods near similar telecommunications towers in Randolph County. Brubaker stated that based on his data, analysis, and conversations with residents in the areas, it is his professional opinion that the proposed telecommunications towers would not substantially injure the value of adjoining or abutting properties. It is also his opinion that the location and character of the towers would be in general harmony with the area in which it is located.

Brubaker gave a summary of the background work that was outlined in detail for each of the sites. Brubaker said that hundreds of property sales were considered and provided details of these property sales in his report that had been received as evidence by the Planning Board. Brubaker specifically referenced property sales in Courtland Manor Subdivision. This subdivision and related area property sales are reviewed in detail in the Impact Analysis submitted by his office. Brubaker said that several property owners in that community had specifically told him that they had purchased property in that subdivision without major concerns relative to an existing cell tower clearly visible from their property. Brubaker noted that some residents considered the cell tower a benefit because it would prevent additional development around their newly purchased homes. Brubaker repeated that it is his conclusion based on a detailed Impact Analysis that the placement of the towers as proposed would not substantially injure the value of adjoining properties and would be in general harmony with the area of location.

Fred Womble, Zoning Specialist, SBA Network Services, provided the Planning Board with a report of the proposed site. Womble stated his qualifications as a BA Degree and 7 years experience in local government zoning in North Carolina. Womble advised the Board that he had worked closely with County Planning staff to insure that each technical requirement of the Randolph County Zoning Ordinance was met by each site plan and application for all eight of the cell towers under consideration by the Planning Board. **Planning Board member Larry Brown** asked Womble the MSL (Mean Sea Level) height of the tower being proposed on the Branson Mill Road site. **Womble** responded that MSL is 758 ft. **Planning Board member Bill Dorsett** asked if SBA Network had provided a statement of what communications companies they had contacted to determine if there were towers already in the area upon which AT&T Wireless could co-locate. **Womble** responded that information and a letter stating there were not other options within one mile of this site that would meet the technical needs of AT&T was contained in the application. **Dorsett** said that it was the intent of the zoning ordinance that telecommunications towers make all possible efforts to locate on existing towers so as to reduce the number of new cell towers that would be required in rural Randolph County. **Brown** said that he would like to see another cellular provider committing to locate on this new tower being proposed. **Campen** said that County telecommunication tower standards require that new towers be designed to serve at least two additional providers. Campen said that testimony from Vikram

Pai may answer the technical aspects of these questions, but noted that County zoning codes require that a provider contact all telecommunications tower providers within a one mile radius to determine if co-location on towers is possible. Campen said that there were no towers within a one-mile radius.

Vikram Pai, RF Engineer, Bechtel Corporation, provided the Board with information on his professional background and experience. Pai said that AT&T currently only maintains coverage along the major highways in Randolph County, and it is the desire of AT&T to have the opportunity to extend this telecommunications coverage throughout Randolph County. Pai said he had studied the location of current towers located within Randolph County and was also able to review computer-generated maps produced by the County Planning Department which reflected the location of all existing tower locations within County jurisdiction. Pai said that none of the existing towers currently located within Randolph County would allow AT&T to achieve their service needs to the county. **Planning Board member Bill Dorsett** asked Pai if they had studied the possibility of locating on existing transmission or power lines. **Pai** said that they had considered this option; however, no power lines or transmission lines located within the service area were high enough to meet their transmission service requirements. **Dorsett** asked Pai what factors are utilized by the wireless company when determining the exact location of a proposed tower on a large tract of land, and how much could a tower site location vary on a particular site. **Pai** said that there are many factors that must be taken into consideration when considering the specific location of a tower site on a tract of land. The need to provide or maintain total communications network service is the critical factor in specific site selection. **Planning Board member Larry Brown** asked Pai why AT&T cell phones don't provide complete coverage in this area, and other cell phone do provide coverage. **Pai** responded that it depends on the type of equipment and location requirements available to the individual service providers. **Dorsett** asked if this was the first site considered or if other sites had been considered for this particular location on Branson Mill Road. **Womble** responded that this was the first site considered for this location. **Dorsett** asked if all eight of the telecommunications tower requests before the Planning Board were for the first site considered by AT&T wireless. **Womble** responded that he did not have that information at this time, but normally a cell tower is proposed to be located on the best available location on a site.

Planning Director Hal Johnson asked Womble to explain to the Planning Board the general process used by a telecommunications provider to select a tower site when the property owner has a large amount of land available for siting a cell tower. **Womble** said that a site best suited for telecommunications signals within the service area desired by the provider is the primary consideration. **Johnson** said that he asked that question because of concerns expressed to him from adjoining neighbors at the Branson Mill Road site. Johnson said that these individuals were not opposed to the location of a cell tower, but had been very concerned that this specific proposed site location was on land located closest to adjoining properties and the most distant from the actual property owner.

Planning Board member Larry Brown asked Womble who owns the two existing towers located closest to the site. **Womble** said these towers are not located within the one-mile radius required by the County ordinance. **Pai** reminded the Board that tower site locations are based on the service providers' need to provide area network communications coverage. Pai said that AT&T had co-located on one of the towers located nearest to the proposed site on Branson Mill Road. Pai said the proposed tower and site were needed to connect two other tower sites for network coverage, thus eliminating overlapping or duplicate coverage zones. **Planning Board member Bill Dorsett** asked if AT&T co-locates on other towers in this area. **Pai** said that AT&T is currently located on 26 existing towers in Randolph County and co-locates when possible. **Planning Board member Larry Brown** asked if AT&T has any co-locators currently scheduled for this tower if it is approved. **Campen** said there are not commitments at this time;

however, current County telecommunication tower standards require new towers to be built to accommodate at least two co-locators in addition to the primary owner.

Henry Campen summarized Pai's testimony that stated the existing telecommunications towers in Randolph County would not provide AT&T the service network necessary for adequate coverage in the area. Campen introduced the maps of AT&T's service coverage areas, and the proposed coverage areas. Campen also introduced into evidence the aerial photographs of proposed sites and the detailed Impact Analysis conducted by Harold Brubaker.

Chairman Maxton McDowell asked for a show of hands of those persons in attendance that were in opposition to the request at the Branson Mill site. There were 11 people who stood in opposition to the request.

Tony Warren, 1309 Branson Mill Road, provided a letter from Michael Dennis, Realtor, Boyd Realty, and a letter from a developer interested in developing his property. Both letters indicated that they felt the location of a tower would devalue Mr. Warren's property. Mr. Warren stated that he had built a 1600-foot road into his property with the hopes that some day he would be able to develop the land. Warren said that he was concerned that now he would not be able to develop his land as intended due to the location of the new tower so close to his property. Warren also said that Mr. Coltrane, who owns the land upon which the tower is being proposed, also owns a substantial amount of land connected to this site. Warren questioned the decision to locate the tower close to Warren's property, but at a distance that would have the least amount of effect on the property owner (Mr Coltrane), who would derive all the financial benefits from the lease of the land for the tower. Warren said that it was his concern that if this tower was built in the location proposed, he would lose the possible sale of his house.

Larry Beeson, 1305 Branson Mill Road, said that he did not receive a letter notifying him of this hearing. Beeson complained about the tax value on his property. Beeson said he was not contesting the location of the tower as much as he was contesting procedures in notifying residents. Beeson also said there was another cell tower in the general area. **Planning Director Johnson** said that the County routinely notified all adjoining property owners, in addition to putting signs on the property and running legal advertisements in the newspaper. Johnson said the County was not required to notify everyone within one-mile and that Mr. Beeson probably had this requirement confused with the one mile radius a tower provider must check for other towers that may be suitable for co-location.

Tony Warren again stated his concerns that this tower site is being proposed on a 3+ acre site that is next to him, when Mr. Coltrane (property owner) has other land on higher elevation located on cleared land that would have less impact on Warren. **Chairman McDowell** said he understood Mr. Warren's concerns, but the Board must also consider all testimony and evidence presented when making a decision.

As there were no other citizens desiring to provide testimony, **Chairman McDowell** closed the public hearing and asked for comments from Board:

Planning Board member Bill Dorsett said that of all eight requests before the Board being considered, only two requests are located near adjoining residences. Dorsett said that he felt if there was an alternate site that could be considered by a telecommunications provider for tower location that would have less impact on adjoining residences, then he felt that site should be chosen by the tower provider regardless of just being concerned about meeting generalized technical requirements. Dorsett said that every land use location is different, and that is why the law requires a public hearing and additional standards for issuance of a Special Use Permit. Dorsett said as a Board member he accepts the expert testimony of the AT&T witnesses, but he has

concerns about this request meeting the 4th test required for issuance of a Special Use Permit which is about a land use being in general harmony with the area in which it is located. **Planning Director Johnson** said that telecommunications towers are some of the most difficult issues the Planning Board must face. Johnson said the County planning staff work close with the telecommunications company to insure that there are not other towers within the area upon which they might co-locate. **Planning Board member Phil Ridge** said that the property owners' wishes must also be taken into consideration when making a decision where a tower should be located on an individual's land. **Planning Board member Chris McLeod** said that what might appear to some as large tracts of open land might actually be farm land, and that the location of a tower in the middle of this active farmland might have a big impact on the farmer. **Planning Board member Larry Brown** said that he also accepted the expert testimony provided by Harold Brubaker, Fred Womble, and Vikram Pai; however, he was concerned about the proposed site being located so close to adjoining residences when there was not substantial evidence presented that would preclude the possibility of locating the tower at another location on the property owner's land that would have less of a impact on neighbors. **Brown** said it was because of this concern that he would make a motion to deny the request as having not presented sufficient evidence of meeting Test #4. "That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and general conformity with the Land Development Plan for Randolph County." **Bill Dorsett** seconded this motion. **Brown and Dorsett voted for the motion, and Craven, Mcleod, Ridge, and McDowell voted against the motion.** The Special Use Permit was denied upon failure to obtain a 4/5 vote of the Planning Board required to approve a Special Use Permit.

- B. **SBA NETWORK SERVICES, INC.**, Charlotte, North Carolina, on behalf of AT&T Wireless Services, is requesting a Special Use Permit to allow a 182' wireless communication monopole tower and service facility to be located on Snyder Country Road, 56.39 acres, Lake Reese Watershed, Tabernacle Township, Zoning District RA, Parcel ID #7704221044. Property Owners: Terry & Lisa Hutchins.

Henry Campen, Attorney representing SBA Network Services, and AT&T Wireless Services, asked the Board to accept the testimony and evidence presented during the first request as applicable to this request for purposes of public hearing time. Mr. Campen also reserved the right to present his expert witnesses for rebuttal testimony. **Chairman Maxton McDowell** agreed to accept previous testimony and evidence applicable to this request as presented by the three witnesses for AT&T Wireless Services and recognized Campen's right to present rebuttal testimony as needed.

***Hal Johnson**, Planning Director, advised the Board that the County Technical Review Committee had reviewed in detail the above application and found it to be in technical compliance with standards and regulations outlined in the County Zoning Ordinance for telecommunication towers.*

Chairman McDowell asked if there were persons who wished to speak to the Planning Board in opposition to this request.

Norm Zimmerman, 1432 Tabernacle Church Road, addressed the Board and said that he was representing himself, his wife, and Paul York, who owned property in the area of the proposed tower location. Zimmerman said that he did not oppose the tower based on the first three tests that the Planning Board must consider when deciding on a Special Use Permit. Zimmerman said that he opposed this request based on Test 4, which must show that the proposed land use would be in harmony with the area. Zimmerman said that he and his wife invested in this land because of the unique qualities of the rural environment that they valued. They are farming a vineyard, which

is ideal for such an environmentally sensitive area of Randolph County. Zimmerman said the aesthetics of a rural area is important and once that special character is lost, it is gone forever. He asked the Planning Board not to allow a land use that would cause such a drastic change to the rural area.

Leslie Zimmerman, 1432 Tabernacle Church Road, agreed with her husband, and added that there are other towers in this general area of the county and in Davidson County that she felt might be good for co-locations. Zimmerman stated that the appraiser for AT&T did not talk with adjoining property owners in her neighborhood when asking if they would have purchased land in this area with a cell tower located close by. Zimmerman said that they would not have purchased land had a cell tower been in the area. **Planning Board member Larry Brown** asked Zimmerman if she would be able to see the tower from her home and **Zimmerman** responded "yes."

No other persons spoke in opposition to this request.

Henry Campen asked Harold Brubaker to address the concerns expressed by the Zimmermans. **Brubaker** asked the Board to consider his detailed Impact Analysis as previously submitted to the Board for these sites. Brubaker said that although this site is located in a rural and sparsely populated area, he considers whether the area already has "public infrastructure" in determining whether a telecommunications tower would be out of harmony with the area. Brubaker said infrastructure can be looked at as telephone poles, electrical lines, and similar structures serving development in the area. Brubaker said he looked at this site proposal as similar to the Mount Shepherd site in Randolph County. Brubaker said he looked at actual sales of property to determine if the location of a cell tower has negative results. Brubaker used as an example the cell tower impact on Poole Town Road as showing no negative effects on property sales. **Planning Board member Larry Brown** asked Brubaker if he had looked at areas without the presence of cell towers to obtain a sample of sales with and without towers. **Brubaker** said that this would not allow for a base line in the study process. **Planning Board member Bill Dorsett** asked Brubaker his definition of "harmony" in an area. **Brubaker** said he is looking at the availability of existing infrastructure in a area such as telephone poles, electrical line, and similar public facilities. **Dorsett** asked why some higher priced subdivisions used underground utilities if aboveground was considered in harmony with any area. **Brubaker** said that not all subdivisions use underground utilities. **Planning Board member Phil Ridge** said that the issue of "harmony" in an area was one that left too much open for individual interpretation. Ridge said the best way to determine if a cell tower is in harmony with an area is to decide that the request has clearly met the first three tests required for a Special Use Permit and outlined in our ordinance. **Campen** asked Brubaker if he felt population density was a factor in considering "harmony" with a rural area. **Brubaker** said population density and proximity to the proposed site could be a factor in maintaining a rural "harmony." **Campen** asked Zimmerman to locate his home on the map provided on an overhead projector by the County. **Zimmerman** located his home and that of his neighbor. **Campen** asked Womble the distance the tower location would be from the homes indicated by Zimmerman, and **Womble** calculated that the tower would be 7/10 of a mile from Zimmerman's home. **Campen** asked Womble the MSL (Mean Sea Level) of the tower and Womble replied 582 feet. **Planning Board member Lynden Craven** asked for a show of hands of all those in attendance at the public hearing who used cell phones. The majority of those present raised their hands as users of cell phones. **Planning Board member Bill Dorsett** said that even though the County has general guidelines, each request must be determined on its individual merit. Dorsett said this area is not sparsely populated, and the location of a tower in the proposed location would be out of character with the general harmony of the rural area.

Lynden Craven made the motion, seconded by Phil Ridge, to approve the Special Use Permit request. **Craven, Ridge, McDowell, and McLeod voted with the motion. Larry Brown and Bill Dorsett voted against the motion.** The motion did not pass as a result of failure to obtain a 4/5 vote necessary for approval.

- C. **SBA NETWORK SERVICES, INC.**, Charlotte, North Carolina, on behalf of AT&T Wireless Services, is requesting a Special Use Permit to allow a 190' wireless communication monopole tower and service facility to be located on Old Humble Mill Road, 41.10 acres, Grant Township, Zoning District RA, Parcel ID #7679674618. Property Owner: Lowanda McDowell.

***County Planning Director Hal Johnson** advised that the Technical Review Committee met and found that this proposed tower was in compliance with the standards outlined in the County Zoning Ordinance.*

Campen asked that the testimony presented during the first request be considered in this request and asked for the right to present rebuttal testimony.

Lowanda McDowell, Old Humble Mill Road, said that this was an ideal location for a cell tower. McDowell said that this tower will eventually be in her backyard and that she feels as an independent real estate agent that this will not damage her property value. McDowell said that she felt that the only reason someone would oppose this request would be that they wanted it on their property. McDowell said that she has spoken with all the adjoining property owners and no one had any opposition to this request.

Howard Cox, 2721 Panther Drive, Raleigh, North Carolina, adjoining property owner, said that he is not speaking in opposition but he did question some of the data supporting the site. Cox said that he felt the data was skewed against those that don't want the tower. Cox said that he is retired engineer from CP&L and he does question their siting of the tower.

Artie Cox, Garner, North Carolina, adjoining property owner, expressed concern that no other sites were considered. Cox said that the large gray areas on the coverage map do not show where existing towers are within municipal areas. Cox said that the spacing of tower sites is not dictated only by the engineering but also by who wants a tower site. Cox said that he felt there were possibly better sites for a tower than this one. Cox said that he felt this site was driven by the landowner's wanting the site, not by the engineering.

Lowanda McDowell said that this is the most feasible high point on her property.

Campen asked Cox to locate their property on the map. **Pai** provided a map that showed towers in the municipal areas and said that AT&T is already co-locating on each of those tower sites. Pai showed maps of the coverage areas and the areas that they are trying to cover (a propagation model). Pai explained how these models are designed and their service coverage demands. **Brown** asked if Pai had a chart of his competitors' coverages. **Pai** said he does not but the equipment they use is not the same. **Brown** asked if they used the same height towers and **Pai** answered yes. **Ridge** asked about how much the site location could vary, and **Pai** explained that if the tower is moved, the coverage will shift the same amount as the movement. Pai said that this site is the best location for the service coverage they are trying to create. **Campen** asked Pai the definition of MSL and **Brown** answered height above sea-level. **Campen** asked about the propagation coverage, and **Pai** said that it indicates the minimum coverage area. **Brown** asked if atmospheric conditions could affect coverage, and **Pai** said it could affect the equipment but not the coverage area. Pai did provide propagation maps of the entire County and maps of the individual site area. **Brown** asked Womble what role monetary

considerations had in determining the site of a tower and **Womble** said that it does not really come into the decision of the location. **Brown** asked if he negotiated for easements with the landowners, and **Womble** answered he did not. **Womble** said that the site is considered because it is the location of the best signal, and an agreement can be worked out with a willing landowner.

Wayne Clark, Hwy 22/42, Ramseur (Coleridge area) owns a business at 2525 NC Hwy 705, Seagrove, and lives on Hwy 22/42 near Coleridge. Clark said that he wants to see the Board approve these sites so that his cell phone services will be good.

Craven made the motion, seconded by **McLeod**, to approve this request. The motion passed unanimously.

- D. **SBA NETWORK SERVICES, INC.**, Charlotte, North Carolina, on behalf of AT&T Wireless Services, is requesting a Special Use Permit to allow a 180' wireless communication monopole tower and service facility to be located at the intersection of NC Highway 42 and Wayne Road, 14.25 acres, Grant Township, Zoning District RA, Parcel ID #7699208105. Property Owner: Norman Wright.

***County Planning Director Hal Johnson** advised that the Technical Review Committee met and found that this proposed tower was in compliance with the standards outlined in the County Zoning Ordinance.*

Campen asked the Board to adopt the previous testimony and evidence provided by his witnesses.

Wayne Clark, 3832 NC Hwy 22/42, Ramseur, said that he is in favor of cellular coverage coming to his area. Clark said the coverage in this area is very poor.

Jeff Smith, Smith Grantville Airfield, Old NC Hwy 13, said that the site is within ½ mile of his airfield. Smith said that the airfield is located southwest of this location but it would not be visible from his home. Smith gave the Board the coordinates of his field and told the Board that his runway has a large fly-in each year in September. Smith said that they have twin-engines, single-engines, and other small aircraft using their airfield. Smith said they are used by the US Army Special Forces also. Smith said that the tower will not be an issue that they can't live with because there will be over 600 ft. of separation between the flight path and the height of the tower. Smith said that the concern will be take-offs and landings and asked if the tower could be lit with strobe lights, beacons, or some type of lighting for safety purposes. **Brown** asked for Smith's qualifications. **Smith** said that he has 3 airline certifications, currently flies a 737 for Midway Airlines, flew for the military, etc. Smith said that some pilots will go as low as possible during hazy conditions to be able to see.

Campen asked Smith to locate his airfield on the map. **Smith** did so. **Campen** asked Pai if AT&T checks with FCC about the location of airfields. **Brown** asked Pai if he realized that the FCC allowed a tower in the flight path at the Greensboro Airport. **Campen** said that AT&T had nothing to do with the tower Brown mentioned. **Pai** provided the Board with the information he received from the FCC concerning this location. **Campen** said that they are not trying to dispute Smith's testimony. **Dorsett** asked Smith how long his airfield has been in existence and **Smith** answered 1982.

Johnson said that the only concern Smith had was that the tower be lighted. **McDowell** asked Womble about lighting of the tower and **Womble** said they are not required to light a tower of this height.

Brown made the motion that this request be **approved** with the condition of proper lighting. **Dorsett** seconded this motion.

Johnson said that the staff can meet with SBA concerning lighting.

The motion passed unanimously.

- E. **SBA NETWORK SERVICES, INC.**, Charlotte, North Carolina, on behalf of AT&T Wireless Services, is requesting a Special Use Permit to allow a 199' wireless communication monopole tower and service facility to be located on Plum Tree Road, 27.60 acres, Providence Township, Zoning District RA, Parcel ID #7785963583. Property Owner: Jackie Lewis.

County Planning Director Hal Johnson advised that the Technical Review Committee met and found that this proposed tower was in compliance with the standards outlined in the County Zoning Ordinance.

Campen asked that the testimony of his witnesses and evidence presented be incorporated into this part of the minutes and he reserved the right for rebuttal.

There was no one present in opposition.

Brown asked for an MSL reading and **Fred Womble** said 758.1 ft.

Dorsett said that this is an ideal area and this is the type of location should be considered. Dorsett commended the applicant on this site.

Dorsett made the motion, seconded by **Brown**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

- F. **SBA NETWORK SERVICES, INC.**, Charlotte, North Carolina, on behalf of AT&T Wireless Services, is requesting a Special Use Permit to allow a 194' wireless communication self-supported/lattice communication tower and service facility to be located on Shelton Country Road, 52.81 acres, Sandy Creek Watershed, Liberty Township, Zoning District RA, Parcel ID #8706281814. Property Owner: Clarence Hemphill.

County Planning Director Hal Johnson advised that the Technical Review Committee met and found that this proposed tower was in compliance with the standards outlined in the County Zoning Ordinance.

Campen asked the Board to adopt the previous testimony and evidence provided by his witnesses.

Brown asked for the MSL and Fred Womble answered 708.2.

Brown made the motion, seconded by **Dorsett**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

- G. **SBA NETWORK SERVICES, INC.**, Charlotte, North Carolina, on behalf of AT&T Wireless Services, is requesting a Special Use Permit to allow a 180' wireless communication monopole tower and service facility to be located on Racine Road, 105.61

acres, Polecat Creek Watershed, Providence Township, Zoning District RA, Parcel ID #7777562722. Property Owner: Gene Hiatt.

County Planning Director Hal Johnson advised that the Technical Review Committee met and found that this proposed tower was in compliance with the standards outlined in the County Zoning Ordinance.

Campen asked that the testimony of his witnesses and evidence presented be incorporated into this part of the minutes and he reserved the right for rebuttal.

Womble said the MSL is 759.1 ft.

There was no one present in opposition to this request.

Ridge made the motion, seconded by **Dorsett**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

- H. **SBA NETWORK SERVICES, INC.**, Charlotte, North Carolina, on behalf of AT&T Wireless Services, is requesting a Special Use Permit to allow a 190' wireless communication monopole tower and service facility to be located on Garren Town Road, 75.10 acres, Lake Reese WQCA Watershed, Concord Township, Zoning District RA, Parcel ID #7710573179. Property Owners: Jerry & Linda Talbert.

County Planning Director Hal Johnson advised that the Technical Review Committee met and found that this proposed tower was in compliance with the standards outlined in the County Zoning Ordinance.

Campen asked that the testimony of his witnesses and evidence presented be incorporated into this part of the minutes and he reserved the right for rebuttal.

Womble said that the MSL of this site is 554.18 ft.

McLeod made the motion, seconded by **Craven**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

6. **Planning Director Hal Johnson** advised the applicants that a formal order denying the first two requests would be prepared and presented for Planning Board approval at the Board's March 4th meeting. Appeal from decisions of the Planning Board may be appealed to the Randolph County Superior Court within thirty (30) days from service of the order denying the Special Use Permit.
7. The meeting adjourned at 9:46 p.m. There were 51 citizens present for this hearing.

**NORTH CAROLINA
RANDOLPH COUNTY**

Hal Johnson, Planning Director